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**FAX TRANSMISSION****DATE:** December 17, 2004**PTO IDENTIFIER:** Application Number 10/091177  
Patent Number**Inventor:** Come et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** ROPES & GRAY LLP

David P. Halstead

**PHONE:** (617) 951-7615**Attorney Dkt. #:** DFMP-P01-018**PAGES (Including Cover Sheet):** 4**CONTENTS:**Certificate of Transmission (1 page)  
REVISED REPLY TO RESTRICTION REQUIREMENT (2 pages)

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**ROPES & GRAY LLP**One International Place, Boston, 02110-2624  
Telephone: (617) 951-7000 Facsimile: (617) 951-7050

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Attorney Docket No.: DFMP-P01-018

DEC 17 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

COME *et al.*

Serial No: 10/091,177

Filed: March 4, 2002

For: THREE HYBRID ASSAY SYSTEM

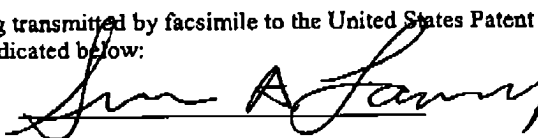
Attorney Docket No. DFMP-P01-018

Art Unit: 1631

Examiner: Martinell, James

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Alexandria, VA 22313-1450

**REVISED REPLY TO RESTRICTION REQUIREMENT**

Sir:

This response is filed in reply to the outstanding Restriction Requirement, mailed November 17, 2004, in connection with the above application. Applicants wish to vacate their previous response and instead elect Group III, claims 28-42, 50-55, 63, and 65, *with traverse*, on the following grounds. It is hoped that this change will not inconvenience the Examiner and will be effective to change the group being elected.

Applicants traverse this restriction requirement on the basis that the Group IV, which is mischaracterized in the restriction requirement, is also directed to methods of determining whether a polypeptide binds a ligand. Accordingly, Groups IV and III are closely related and share common features that would facilitate searching both groups at once. Therefore, a search and examination of both groups can be made without imposing additional serious burden on the Examiner. Accordingly, reconsideration is respectfully requested.

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Attorney Docket No.: DFMP-P01-018

The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to **Deposit Account No. 18-1945**.

Date: December 17, 2004

**Customer No: 28120**  
Docketing Specialist  
Ropes & Gray LLP  
One International Place  
Boston, MA 02110  
Phone: 617-951-7000  
Fax: 617-951-7050

Respectfully Submitted,



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David P. Halstead  
Reg. No. 44,735

PTO/SS/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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Application No. (if known): 10/091177

Attorney Docket No.: DFMP-P01-018

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Revised Reply to Restriction Requirement (2 pages)  
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